

MICHIGAN ENVIRONMENTAL SCIENCE BOARD

MEETING SUMMARY
FRIDAY, SEPTEMBER 11, 1992
OTTAWA CONFERENCE CENTER
ROOM 3/UPPER LEVEL
LANSING, MICHIGAN

BOARD MEMBERS PRESENT:

Dr. Lawrence Fischer, Chair
Dr. Johnathan Bulkley (arrived late)
Dr. Richard Cook
Dr. Raymond Demers
Dr. David Long
Dr. Bette Premo
Dr. Eileen van Ravenswaay
Dr. George Wolff

BOARD MEMBERS ABSENT:

Dr. Ronald Olsen

BOARD STAFF PRESENT:

Mr. Keith Harrison, Executive Director
Ms. Sharon Picard, Financial Officer
Ms. Shirley Willis, Administrative Officer
Mrs. Becki Beattie, Secretary

I. CALL TO ORDER:

Dr. Lawrence Fischer, Chair, called the meeting of the Michigan Environmental Science Board Panel to order at 1:15 p.m. At the request of Dr. Fischer, Board members and staff introduced themselves.

Dr. Fischer stated that he looked forward to working with the group and indicated that he appreciated the members' willingness to sit on the Board and would try to minimize, through efficient communication, the time members will need to spend on issues that come before the Board.

II. WELCOME FROM THE GOVERNOR'S OFFICE:

On behalf of Governor John Engler, Mr. Chad McIntosh, Governor Engler's Environmental Advisor, welcomed the Board appointees to their new positions. He

thanked those members of the Board who had also worked on the Michigan's Environment and Relative Risk project and then spoke to the Governor's expectations for the Board.

Mr. McIntosh indicated that the Governor expects scientifically sound conclusions and recommendations based on a thorough review and evaluation of the questions and issues brought before the Board. In addition, and as a consequence of this rigorous protocol, the Governor also recognizes, and therefore expects, that occasionally the Board's conclusions and recommendations may prove to be politically tough and unpopular. This, however, should not be a concern of the Board during its deliberations. Finally, the Governor fully expects the Board and the individual Board members to utilize other state resources and non-state resources in order to address the issues brought before them.

III. EXECUTIVE DIRECTOR'S REPORT:

Mr. Harrison presented an overview of the draft operating procedures for the Board. He indicated that even though the function of the Board and any Board Panel is only advisory, they would still need to adhere to the Open Meetings Act requirements, including the provision for public comment.

Dr. Demers asked how the Open Meetings Act would apply, for example, to a three member Board Panel. Mr. Harrison indicated that the Open Meetings Act would apply to a meeting where all members met as a Panel, but would not when less than the full Panel met as a committee or subcommittee.

Dr. Fischer indicated that for the time being the draft procedures would be used as guidelines for the operation of the Board and Board Panels.

Mr. Harrison presented the Board with the Department of Management and Budget travel regulations. Board members will be reimbursed for travel, food and lodging costs associated with Board and Board Panel meetings. Each Board member was provided with a travel reimbursement form to be completed and transmitted to the Board office for processing. In addition, each member was presented with a telephone calling card for use with Board related business.

IV. REPORT OF THE CHAIRPERSON:

Dr. Fischer indicated that the Michigan Environmental Science Board was different from other boards and commissions within state government since it is comprised totally of scientists with different expertise who do not and should not have any special interests other than to ensure that all conclusions and recommendations generated by the Board are founded on good science. As a consequence, it was his expectation that all Board members should strive to operate on a high scientific level and render their opinions and conclusions on issues consistent with sound scientific principles.

Dr. Fischer stated that, in terms of protocol, it was his desire to have the Board Panels come to a consensus whenever possible on matters which may come before them. He also stated that Board members should strive to maintain an open mind and to rely upon the scientific expertise and assessments of other members when looking at aspects of issues which may be outside their own areas of expertise.

Dr. Fischer indicated that there may be times when an issue brought before a Board Panel may present a conflict of interest for a given member. Should this occur, the member should apprise him and Mr. Harrison of the situation. Should the conflict prove to be insurmountable, that individual may need to remove him or herself from the Panel. Finally, Dr. Fischer cautioned the Board members when talking to the press to make it clear that any opinion expressed is theirs alone and does not represent the opinion of the full Board or Board Panel. Also, and depending on the issue, Board members should apprise Mr. Harrison of the press interview.

A brief discussion followed by the Board members on the issues raised by Dr. Fischer.

V. AUGUST 6, 1992, GOVERNOR'S DIRECTIVE ON MERCURY:

Dr. Fischer read the August 6, 1992, letter from Governor Engler. Governor Engler's letter requested that the Board address five specific concerns related to the subject of mercury contamination of Michigan's environment. Dr. Fischer indicated that while the format of the report will be up to the Board, it will need to answer the questions asked, provide enough information to justify the answers, and make the answers understandable.

Dr. Fischer stated that due to the importance of the mercury concerns, it has been decided to have the entire Board, rather than a subgroup, address the Governor's August 6, 1992, directive. He indicated that it was his desire to have the Board's investigation proceed in two phases. The first phase would entail a review, for merits and deficiencies, of the 1992 draft Department of Natural Resources (DNR) report entitled: Mercury in Michigan's Environment and other mercury source material. The second phase would involve the development of specific responses to the Governor's questions based on the information generated from the review.

After consideration of the various expertise of the Board members, Dr. Fischer made the following assignments from the draft DNR mercury report.

Drs. Premo, Long, Wolff, Cook and Olsen:
Chapter 3, Mercury Consumption, Sources and Emissions
Chapter 4, Environmental Fate and Transport
Chapter 5, Levels of Mercury Contamination

Drs. Demers and Fischer:
Chapter 6, Mercury Toxicity
Chapter 7, Environmental Criteria and Significance of Current Levels

Dr. Bulkley and Mr. Harrison:
Chapter 8, Governmental Programs Pertaining to Mercury

Dr. van Ravenswaay was requested to begin looking at the various economic concerns as base information becomes available from the other Board members.

Dr. Fischer requested that Board members review their assigned chapters, and other mercury information materials that they may have, with the following three goals in mind:

1. Identify the statements and conclusions which are based on good evidence,
2. identify the statements and conclusions which are based on poorly supported or missing data, and
3. identify those areas of the report where the Board lacks information or understanding.

Dr. Bulkley asked if the Board should address issues that go beyond the state of Michigan. The Board's consensus was that it should deal with the issue to the fullest extent.

Dr. Demers asked what the Board's position would be on the use of unpublished data. The Board's consensus was that although unpublished data are not an ideal source of information, there may be times when it is useful. The Board will not make a policy precluding the use of unpublished data. When it is used it will be cited as such, or as personal communication. The source will be properly credited and confidentiality (if requested) of the data respected. However, unpublished data must be available for examination by at least one Board member.

Dr. Fischer asked Mr. McIntosh whether the Governor had a specific time frame in mind for the Board's response on mercury. Mr. McIntosh responded that the Governor did not.

VI. PUBLIC COMMENT:

1. Senator Matt Dunaskiss of the 8th District presented Senate Bill 795 and background information for the Board's information. The bill would prohibit the licensure of a municipally owned incinerator if it is located within a six mile radius of a lake with any fish sample containing over five parts per million of mercury contamination. Senator Dunaskiss offered to work with the Board in developing standards for mercury emissions.
2. Robert D. Sills, DNR, expressed concern that the effects of mercury on fish and wildlife appeared to have been omitted from the Governor's charge to the Board and requested that these be taken into account by the Board. Dr. Fischer indicated that the Board's report will discuss the environmental impacts.

3. Marilynne Burton-Ristau, Oakland County Residents Against Incineration, requested that when the mercury recommendations are made, the results be made available in local areas. The organization specifically wants to know how much more mercury contamination would result in a 50 mile radius if Oakland County obtains a permit for a municipal incinerator. Ms. Burton-Ristau asked that the Board not be rushed to its conclusions for political reasons and that it consider public input.

A tentative date and location (October 16, 1992, at Michigan State University) were set for the next meeting.

The meeting was adjourned at 3:15 p.m.

Keith G. Harrison, M.A., R.S., Cert. Ecol.
Executive Director